

**CASE INFORMATION SHEET**  
**FLORIDA LEGAL PERIODICALS, INC.**  
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**COUNTY AND COURT:** CIRCUIT COURT, DUVAL COUNTY, JACKSONVILLE,  
FLORIDA

**NAME OF CASE:**

VIVIAN DIANE SCHAEDEL, as Personal Representative of the Estate  
of ERWIN M. SCHAEDEL, SR., Deceased, etc.,

Plaintiff,

v.

IGOR BERENGOLTS, M.D. and INPATIENT CONSULTANTS OF FLORIDA, INC.

Defendants.

**CASE DOCKET NO.:** 16-2012-CA-001275      **JUDGE:** Thomas Beverly  
Division CV-A

**PLAINTIFF(S) ATTORNEY(S)/TRIAL COUNSEL:**

Seth Pajcic  
Stephen Pajcic  
Bill Burns  
Benjamin Richard  
Bill Bald  
Pajcic & Pajcic  
One Independent Drive  
Suite 1900  
Jacksonville, FL 32202

**DEFENDANT(S) ATTORNEY(S)/TRIAL COUNSEL:**

RICHARD B. MANGAN, JR.  
EDWARD M. COPELAND IV  
Rissman, Barrett, Hurt,  
Donahue & McLain, P.A.  
1 N. Dale Mabry Hwy.  
11th Floor  
Tampa, FL 33609

**AGE/SEX/OCCUPATION OF DECEDENT:**

58/male/disabled

**DATE, TIME AND PLACE OF ACCIDENT OR OCCURRENCE:**

December 18, 2010, St. Luke's Hospital, Jacksonville, FL.

**CAUSE OF INJURY:**

This was a malpractice action arising from the death of Erwin Schaedel, Sr. following a retroperitoneal bleed occurring several days after the defendant, Igor Berengolts, M.D., initiated an anti-coagulation bridge in anticipation of back surgery.

On December 11, 2010, the decedent, Erwin Schaedel, Sr., presented to St. Luke's Hospital emergency room with the chief complaint of back pain. His history included atrial fibrillation for which he had recently been placed on Coumadin. While in the emergency room, he was in atrial fibrillation, which converted shortly thereafter. He provided a history of atrial fibrillation, COPD, congestive heart failure, hypertension and diabetes. He was admitted to the service of InPatient Consultants of Florida (IPC) for pain control and neurosurgical consultation in anticipation of potential back surgery. Upon admission, his Coumadin was continued.

On December 14, 2010, Dr. Berengolts first became involved as the IPC attending physician. Following discussions with the consulting cardiologist and neurosurgeon, it was determined that Mr. Schaedel would be taken to surgery on December 19, 2010. As a result, Dr. Berengolts ordered that Coumadin be stopped and Mr. Schaedel be started on a Lovenox bridge. He ordered a 1 mg/kg full therapeutic dose of Lovenox to be utilized as the Lovenox bridge. The Lovenox bridge was to be stopped the day before the planned surgery.

Dr. Berengolts' involvement with Mr. Schaedel ended on December 16, 2010 at which time another IPC hospitalist took over the management and care of the patient.

On the morning of December 18, 2010, Mr. Schaedel developed a significant retroperitoneal bleed, coded and could not be resuscitated.

**NATURE OF INJURY:**

Death.

**PLAINTIFF'S EXPERT WITNESSES:**

Harry Jacob, M.D. - Hematology  
MMC 480 Mayo  
420 Delaware  
Minneapolis, MN 55455

Dr. Jacob testified that Dr. Berengolts breached the standard of care by ordering a full therapeutic dose of Lovenox. Although Mr. Schaedel had a history of atrial fibrillation, he was not actively in atrial fibrillation and thus the potential risk of causing a bleed due to the full dose of Lovenox far outweighed the potential risk of a thromboembolus causing a stroke as a result of the atrial fibrillation. While conceding that it was appropriate to utilize a short acting anticoagulant (Lovenox) in order to bridge between the long term anticoagulant (Coumadin) and the planned surgery on December 19, 2010, Dr. Jacob agreed the bridge was preventative for the formation of thromboembolism rather than a treatment and therefore required that a prophylactic dose of Lovenox be utilized.

Additionally, Mr. Schaedel's hemoglobin/hematocrit and platelet counts were below normal and falling even before a full dose of Lovenox was given, making it inappropriate to use that dose. The full dose of Lovenox was 4-6 times stronger, caused this bleed and ultimately, Mr. Schaedel's death.

**DEFENDANTS' EXPERT WITNESSES**

David Quillen, M.D. - Hospitalist  
1818 Northwest 26th Way  
Gainesville, FL 32605

Dr. Quillen testified that Dr. Berengolts met the required standard of care in the dose of Lovenox ordered. Mr. Schaedel's history of atrial fibrillation, regardless of whether or not active at the time Dr. Berengolts ordered the Lovenox bridge, exposed Mr. Schaedel to a significant risk of developing thromboembolism and thus a stroke. The fact that Mr. Schaedel had additional risk factors, including hypertension, congestive heart failure and diabetes, significantly increased that risk. As such, a full therapeutic dose of Lovenox was required.

While Dr. Quillen conceded that a prophylactic dose is used to prevent clot formation in the legs, it is used in all patients admitted to the hospital who will be immobile. In a patient such as Mr. Schaedel, who required anticoagulant treatment as a result of atrial fibrillation, a full dose was not only appropriate but the required dose.

Dr. Quillen conceded the Lovenox caused or contributed to Mr. Schaedel's bleed and death.

**TREATING PHYSICIAN**

Michael Cunningham, M.D. - Cardiology  
St. Vincent Diagnostic Cardiology Association  
4181 Southpoint Drive  
Suite 300  
Jacksonville, FL 32216

Dr. Cunningham was the cardiology consultant with whom Dr. Berengolts discussed the plan for the Lovenox bridge. At trial, Dr. Cunningham testified that he had examined and evaluated Mr. Schaedel and that he was not only in agreement with the plan for the Lovenox bridge but that, in fact, it was his plan. Additionally, once the Lovenox bridge was instituted, Dr. Cunningham was fully aware of the dosing of Lovenox provided to Mr. Schaedel and confirmed the appropriateness of the amount of Lovenox ordered by Dr. Berengolts.

**VERDICT:**

For defendants.

**DATE OF VERDICT:**

June 11, 2015

**DATE OF FINAL JUDGMENT:**

Pending.

**DEFENDANT'S OFFER:**

\$0

**PLAINTIFF'S DEMAND:**

\$250,000

In closing, plaintiff demanded \$1 million in damages.

**Submitted By:** Richard B. Mangan, Jr.  
Edward M. Copeland IV

**Date:** June 22, 2015

**Firm:** Rissman, Barrett, Hurt,  
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